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10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA — SAN JOSE DIVISION**

12 WANDA PEPIN,  
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14 Plaintiff,

15 vs.

16 CAPITAL ONE, N.A.; et. al.,

17 Defendants.  
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Case No.: 5:17-CV-05407-LHK  
*Assigned to the Honorable Lucy H. Koh*

**STIPULATED REQUEST FOR  
DISMISSAL OF DEFENDANT  
CAPITAL ONE BANK (USA), N.A.;  
~~PROPOSED~~ ORDER**

**TO THE COURT, CLERK OF COURT, AND ALL PARTIES:**

**IT IS HEREBY STIPULATED** by and between plaintiff Wanda Pepin and defendant Capital One Bank (USA), N.A. (“Capital One”), that Capital One be dismissed from this action with prejudice pursuant to Federal Rules of Civil Procedure, Rule 41(a)(2), and that each party shall bear its own attorneys’ fees and costs.

DATED: March 6, 2018

**SAGARIA LAW, P.C.**

By: /s/ Elliot W. Gale

Elliot W. Gale

Attorneys for Plaintiff

Nick Rushing

DATED: March 6, 2018

**DOLL AMIR & ELEY LLP**

By: /s/ Chelsea Diaz

Chelsea Diaz

Attorneys for Defendant

Capital One Bank (USA), N.A.

I, Elliot Gale, am the ECF user whose identification and password are being used to file this Stipulation. I hereby attest that Chelsea Diaz has concurred in this filing.

/s/ Elliot Gale

**~~PROPOSED~~ ORDER**

Pursuant to the stipulation of the Parties, Capital One Bank (USA), N.A. is dismissed with prejudice and each party shall bear its own attorneys' fees and costs. The Clerk shall close the file.

IT IS SO ORDERED.

DATED: March 6, 2018



LUCY H. KOH  
UNITED STATES DISTRICT JUDGE